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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/669,940	09/24/2003	Peter Francis Carcia	CL2173USNA	4615

23906 7590 07/15/2005

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WILMINGTON, DE 19805

EXAMINER

LE, THAO P

ART UNIT PAPER NUMBER

2818

DATE MAILED: 07/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/669,940

Applicant(s)

CARCIA ET AL.

Examiner

Thao P. Le

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10 June 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 14 and 16-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 14 and 16-24 is/are rejected.
- 7) ☒ Claim(s) 22 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

Claims 14, 16-24 are pending.

**Claim objection**

Claim 22 should be ended with a period (.).

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 14, 17, 18, 23 are rejected under 35 USC 102 (e) as being anticipated by French et al., U.S. Patent No. 6,772,941.

Regarding claims 14, 17, and 18, French et al. discloses a transistor comprising a semiconductor component (Fig. 5H, Col. 5) comprising an undoped transparent metal oxide 53 and the transistor is applied in active matrix or image sensor (lines 29-31, Col. 9).

Regarding claim 23, French et al. discloses the transistor of claim 14 and further comprising source, drain, and gate electrodes fabricated from a material selected from the group consisting of zinc oxide, indium oxide (lines 51-59, Col. 6; lines 52-59, Col. 7).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 19-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over French et al., U.S. Patent No. 6,773,941.

Regarding claims 19-21, French et al. discloses the transistor of claim 14 but fails to disclose the transistor in claim 14 is applied in a rf price label, rf identification tag, or rf inventory tag. However, French et al. discloses the transistor is applied to any pixellated device requiring transparent pixel electrodes and it is well known in the art that rf price label, rf identification tag, or rf inventory tag required transparent pixel electrodes.

Claims 16, 22, 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over French et al., U.S. Patent No. 6,773,941, in view of Kim et al., U.S. Pub No. 2004/0085279.

Regarding claim 16, French et al. discloses the transistor of claim 14 wherein the transistor is applied in a flat panel display. Kim et al. discloses the similar transistor as French et al. and wherein the transistor is applied in the flat panel display. It would have been obvious to one having ordinary skill in the art at the time the invention was made to apply the transistor in claim 14 in the flat panel display because French et al. discloses that the transistor of French et al. is applied to any pixellated device requiring

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transparent pixel electrodes. It is inherent that flat panel display required transparent pixel electrodes.

Regarding claim 22, French et al. discloses the transistor of claim 14 deposited on a glass substrate but fail to disclose the transistor deposited on a flexible substrate (claim 22). Kim et al. discloses the similar transistor as French et al. wherein the transistor deposited on a flexible substrate. It would have been obvious to one having ordinary skill in the art at the time the invention was made to use the flexible substrate in Kim et al. because the flexible material is the material that comparatively easily affected by heat treatment.

Regarding claim 24, French et al. discloses the limitations of claim 14 and 22, and further discloses the gate electrode is formed from a material selected from the group consisting of zinc oxide, indium oxide.

### ***Conclusion***

For the above reasons, it is believed that the rejections should be sustained. Feature of an invention not found in the claims can be given no patentable weight in distinguishing the claimed invention over the prior art.

Application's amendments necessitated the new ground of rejection presented in this office action. Accordingly, **THIS ACTION IS MADE FINAL**. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for response to this final action is set to expire THREE MONTHS from the date of this action. In the event a first response is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event will the statutory period for response expire later than SIX MONTHS from the date of this final action.

When responding to the office action, Applicants are advised to provide the examiner with the line numbers and page numbers in the application and/or references cited to assist the examiner to locate the appropriate paragraphs.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to whose telephone number is (571) 272-1785. Other

A shortened statutory period for response to this final action is set to expire THREE MONTHS from the date of this action. In the event a first response is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event will the statutory period for response expire later than SIX MONTHS from the date of this final action.

When responding to the office action, Applicants are advised to provide the examiner with the line numbers and page numbers in the application and/or references cited to assist the examiner to locate the appropriate paragraphs.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to whose telephone number is (571) 272-1785. Other inquiries of this application should be called to (571) 272-1562 or the fax number (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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